

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	Criminal No. 1:01 CR-00091
	:	
v.	:	(Chief Judge Kane)
	:	
DWAYNE LEROY WATKINS	:	(Electronically Filed)
	:	

**MOTION TO WITHDRAW AS COUNSEL IN PROCEEDINGS
RELATED TO CRACK COCAINE AMENDMENT**

AND NOW, comes the Federal Public Defender's Office, and files this Motion to Withdraw as counsel, and in support thereof, avers as follows:

1. On May 24, 2001, defendant, Dwayne L. Watkins, plead guilty to drug trafficking in violation of 21 U.S.C. § 841 (a) involving more than fifty (50) grams of crack cocaine.
2. On April 25, 2002, Mr. Watkins was sentenced to 106 months, which represented the mandatory minimum sentence of ten years (120 months) with credit for sixteen months served in custody pending sentencing.
3. On November 1, 2007 the guidelines were amended reducing the crack

cocaine guidelines by two levels.

4. Unfortunately, because Mr. Watkins was sentenced to a mandatory term of imprisonment, the guideline change cannot affect his sentence.

5. Based on the above, the Federal Public Defenders Office moves this Court to withdraw as counsel in the proceedings related to the crack cocaine amendment pursuant to 18 U.S.C. § 3582(c)(2).

WHEREFORE, based on the above, the Federal Public Defenders Office respectfully requests that this Honorable Court grant the motion to withdraw as counsel in proceedings related to the crack cocaine amendment.

Respectfully submitted,

Date: April 15, 2008

/s/ Thomas A. Thornton, Esquire
THOMAS A. THORNTON, ESQUIRE
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CERTIFICATE OF SERVICE

I, Thomas A. Thornton, of the Federal Public Defender's Office, do hereby certify that I served a copy of the foregoing **MOTION TO WITHDRAW AS COUNSEL IN PROCEEDINGS RELATED TO CRACK COCAINE AMENDMENT**, via Electronic Case Filing, or by placing a copy in the United States mail, first class in Harrisburg, Pennsylvania, addressed to the following:

MARTIN C. CARLSON, ESQUIRE

[REDACTED]
[REDACTED]
[REDACTED]

CHRISTY H. FAWCETT, ESQUIRE

[REDACTED]
[REDACTED]
[REDACTED]

DREW THOMPSON

[REDACTED]
[REDACTED]
[REDACTED]

DWAYNE LEROY WATKINS

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Date: April 15, 2008

/s/ Thomas A. Thornton, Esquire
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